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November 9, 2016

BY ECF

Honorable J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Gold v. Opera Solutions, LLC, Index No. 16-cv-08121 (JPO) (JF)

Dear Judge Oetken:

We represent Petitioner Steven Gold in the above-referenced action. We write briefly pursuant to the Court's Memo Endorsement, dated November 9, 2016 (ECF No. 10), staying this proceeding and directing the parties to submit a status update to the Court upon the resolution of Respondent's motion to modify the Final Decision and Award before the AAA.

On November 8, 2016, the Honorable George C. Pratt denied Respondent's motion to modify the Award as "an attempt to reargue the merits of the decision and award." A copy of Judge Pratt's decision is attached as Exhibit A.

We consulted with Respondent's counsel before submitting this Status Report. Although agreeing that we should advise the Court that Judge Pratt has rendered a decision, Respondent refused to stipulate to this submission because it is purportedly "considering" making a motion before this Court for "modification of the Award under 9 U.S.C. §§ 11, 12."

Although Respondent has not disclosed the basis of such potential motion, Mr. Gold submits that the November 8, 2016 decision by Judge Pratt, together with the reasoned Decision and Final Award, dated October 13, 2016, renders any such motion frivolous and improper under the limited circumstances permitted by Sections 11 and 12 of the Federal Arbitration Act.



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Accordingly, in light of Judge Pratt's decision, we respectfully request that the Court lift the stay of this proceeding and confirm the Arbitration Award.

Please do not hesitate to contact us should Your Honor require any further information.

Respectfully submitted,

A handwritten signature in blue ink that appears to read "Andrew Goodstadt".

Enclosure

cc: Eric Wiechmann, Esq. (by ECF)